

**Missouri Hazardous Waste Management Commission Meeting
August 17, 2006
Agenda Item #2**

**Adoption of the Orders of Rulemaking to Incorporate by Reference Changes to the
Code of Federal Regulations Adopted Between July 1, 2000, and July 1, 2004**

Presented by: Tim Eiken, Rules Coordinator

Issue: On March 31, 2006, the program filed a rulemaking package to incorporate by reference changes to the Code of Federal Regulations adopted between July 1, 2000, and July 1, 2004. These federal rules are routine updates of the federal regulations that implement the Resource Conservation and Recovery Act. The rules were published in the May 1, 2006, edition of the Missouri Register. The commission conducted a public hearing on June 15, 2006, and accepted written comments through June 29, 2006. The department received no comments on any of the amendments.

- 10 CSR 25-3.260 Definitions, Modifications to Incorporations and Confidential Business Information
- 10 CSR 25-4.261 Methods for Identifying Hazardous Waste
- 10 CSR 25-5.262 Standards Applicable to Generators of Hazardous Waste
- 10 CSR 25-6.263 Standards for Transporters of Hazardous Waste
- 10 CSR 25 7.264 Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities
- 10 CSR 25-7.265 Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities
- 10 CSR 25-7.266 Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities
- 10 CSR 25-7.268 Land Disposal Restrictions
- 10 CSR 25-7.270 Missouri Administered Permit Programs: The Hazardous Waste Permit Program
- 10 CSR 25-11.279 Recycled Used Oil Management Standards
- 10 CSR 25-16.273 Standards for Universal Waste Management

Recommended Action: Commission to approve eleven Orders of Rulemaking to adopt as proposed the eleven amendments published in the May 1, 2006 Missouri Register

Suggested Motion Language:

“I move that the Commission adopt/not adopt/or adopt with modifications, the Orders of Rulemaking for the eleven amendments proposed in the May 1, 2006, Missouri Register and that the department proceed to file the Orders with the Joint Committee on Administrative Rules and the Secretary of State.”

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 25—Hazardous Waste Management Commission
Chapter 3—Hazardous Waste Management System: General**

ORDER OF RULEMAKING

By the authority vested in the Hazardous Waste Management Commission under section 260.370 RSMo 2005, the commission hereby adopts an amendment as follows:

10 CSR 25-3.260 is adopted.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2006 (31 MoReg 719). This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF TESTIMONY: A public hearing was held June 15, 2006, and the public comment period ended June 29th, 2006. Representatives from the University of Missouri-Columbia and the Regulatory Environmental Group for Missouri (REGFORM) testified in support of the amendments incorporating the federal rules. The department received no written comments on this rule.

No Changes were made to the proposed amendment of 10 CSR 25-3.260.

**Title 10--DEPARTMENT OF NATURAL RESOURCES
Division 25--Hazardous Waste Management Commission
Chapter 4--Methods for Identifying Hazardous Waste**

ORDER OF RULEMAKING

By the authority vested in the Hazardous Waste Management Commission under section 260.370 RSMo 2005, the commission hereby adopts an amendment as follows:

10 CSR 25-4.261 is adopted.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2006 (31 MoReg 720). This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF TESTIMONY: A public hearing was held June 15, 2006, and the public comment period ended June 29th, 2006. Representatives from the University of Missouri-Columbia and the Regulatory Environmental Group for Missouri (REGFORM) testified in support of the amendments incorporating the federal rules. The department received no written comments on this rule.

No Changes were made to the proposed amendment of 10 CSR 25-4.261.

**Title 10--DEPARTMENT OF NATURAL RESOURCES
Division 25--Hazardous Waste Management Commission
Chapter 5--Rules Applicable to Generators of Hazardous Waste**

ORDER OF RULEMAKING

By the authority vested in the Hazardous Waste Management Commission under section 260.370 RSMo 2005, the commission hereby adopts an amendment as follows:

10 CSR 25-5.262 is adopted.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2006 (31 MoReg 720). This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF TESTIMONY: A public hearing was held June 15, 2006, and the public comment period ended June 29th, 2006. Representatives from the University of Missouri-Columbia and the Regulatory Environmental Group for Missouri (REGFORM) testified in support of the amendments incorporating the federal rules. The department received no written comments on this rule.

No Changes were made to the proposed amendment of 10 CSR 25-5.262.

**Title 10--DEPARTMENT OF NATURAL RESOURCES
Division 25--Hazardous Waste Management Commission
Chapter 6--Rules Applicable to Transporters of Hazardous Waste**

ORDER OF RULEMAKING

By the authority vested in the Hazardous Waste Management Commission under section 260.370 RSMo 2005, the commission hereby adopts an amendment as follows:

10 CSR 25-6.263 is adopted.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2006 (31 MoReg 721). This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF TESTIMONY: A public hearing was held June 15, 2006, and the public comment period ended June 29th, 2006. Representatives from the University of Missouri-Columbia and the Regulatory Environmental Group for Missouri (REGFORM) testified in support of the amendments incorporating the federal rules. The department received no written comments on this rule.

No Changes were made to the proposed amendment of 10 CSR 25-6.263.

Title 10--DEPARTMENT OF NATURAL RESOURCES
Division 25--Hazardous Waste Management Commission
Chapter 7--Rules Applicable to Owners/Operators of Hazardous Waste Facilities

ORDER OF RULEMAKING

By the authority vested in the Hazardous Waste Management Commission under section 260.370 RSMo 2005, the commission hereby adopts an amendment as follows:

10 CSR 25-7.264 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2006 (31 MoReg 721). This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF TESTIMONY: A public hearing was held June 15, 2006, and the public comment period ended June 29th, 2006. Representatives from the University of Missouri-Columbia and the Regulatory Environmental Group for Missouri (REGFORM) testified in support of the amendments incorporating the federal rules. The department received no written comments on this rule.

No Changes were made to the proposed amendment of 10 CSR 25-7.264.

Title 10--DEPARTMENT OF NATURAL RESOURCES
Division 25--Hazardous Waste Management Commission
Chapter 7--Rules Applicable to Owners/Operators of Hazardous Waste Facilities

ORDER OF RULEMAKING

By the authority vested in the Hazardous Waste Management Commission under section 260.370 RSMo 2005, the commission hereby adopts an amendment as follows:

10 CSR 25-7.265 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2006 (31 MoReg 722). This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF TESTIMONY: A public hearing was held June 15, 2006, and the public comment period ended June 29th, 2006. Representatives from the University of Missouri-Columbia and the Regulatory Environmental Group for Missouri (REGFORM) testified in support of the amendments incorporating the federal rules. The department received no written comments on this rule.

No Changes were made to the proposed amendment of 10 CSR 25-7.265.

Title 10--DEPARTMENT OF NATURAL RESOURCES
Division 25--Hazardous Waste Management Commission
Chapter 7--Rules Applicable to Owners/Operators of Hazardous Waste Facilities

ORDER OF RULEMAKING

By the authority vested in the Hazardous Waste Management Commission under section 260.370 RSMo 2005, the commission hereby adopts an amendment as follows:

10 CSR 25-7.266 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2006 (31 MoReg 722). This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF TESTIMONY: A public hearing was held June 15, 2006, and the public comment period ended June 29th, 2006. Representatives from the University of Missouri-Columbia and the Regulatory Environmental Group for Missouri (REGFORM) testified in support of the amendments incorporating the federal rules. The department received no written comments on this rule.

No Changes were made to the proposed amendment of 10 CSR 25-7.266.

**Title 10--DEPARTMENT OF NATURAL RESOURCES
Division 25--Hazardous Waste Management Commission
Chapter 7--Rules Applicable to Owners/Operators of Hazardous Waste Facilities**

ORDER OF RULEMAKING

By the authority vested in the Hazardous Waste Management Commission under section 260.370 RSMo 2005, the commission hereby adopts an amendment as follows:

10 CSR 25-7.268 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2006 (31 MoReg 723). This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF TESTIMONY: A public hearing was held June 15, 2006, and the public comment period ended June 29th, 2006. Representatives from the University of Missouri-Columbia and the Regulatory Environmental Group for Missouri (REGFORM) testified in support of the amendments incorporating the federal rules. The department received no written comments on this rule.

No Changes were made to the proposed amendment of 10 CSR 25-7.268.

Title 10--DEPARTMENT OF NATURAL RESOURCES
Division 25--Hazardous Waste Management Commission
Chapter 7--Rules Applicable to Owners/Operators of Hazardous Waste Facilities

ORDER OF RULEMAKING

By the authority vested in the Hazardous Waste Management Commission under section 260.370 RSMo 2005, the commission hereby adopts an amendment as follows:

10 CSR 25-7.270 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2006 (31 MoReg 723). This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF TESTIMONY: A public hearing was held June 15, 2006, and the public comment period ended June 29th, 2006. Representatives from the University of Missouri-Columbia and the Regulatory Environmental Group for Missouri (REGFORM) testified in support of the amendments incorporating the federal rules. The department received no written comments on this rule.

No Changes were made to the proposed amendment of 10 CSR 25-7.270.

**Title 10--DEPARTMENT OF NATURAL RESOURCES
Division 25--Hazardous Waste Management Commission
Chapter 11--Used Oil**

ORDER OF RULEMAKING

By the authority vested in the Hazardous Waste Management Commission under section 260.370 RSMo 2005, the commission hereby adopts an amendment as follows:

10 CSR 25-11.279 is adopted.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2006 (31 MoReg 724). This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF TESTIMONY: A public hearing was held June 15, 2006, and the public comment period ended June 29th, 2006. Representatives from the University of Missouri-Columbia and the Regulatory Environmental Group for Missouri (REGFORM) testified in support of the amendments incorporating the federal rules. The department received no written comments on this rule.

No Changes were made to the proposed amendment of 10 CSR 25-11.279.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 25—Hazardous Waste Management Commission
Chapter 16—Universal Waste

ORDER OF RULEMAKING

By the authority vested in the Hazardous Waste Management Commission under section 260.370 RSMo 2005, the commission hereby adopts an amendment as follows:

10 CSR 25-16.273 is adopted.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2006 (31 MoReg 724). This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF TESTIMONY: A public hearing was held June 15, 2006, and the public comment period ended June 29th, 2006. Representatives from the University of Missouri-Columbia and the Regulatory Environmental Group for Missouri (REGFORM) testified in support of the amendments incorporating the federal rules. The department received no written comments on this rule.

No Changes were made to the proposed amendment of 10 CSR 25-16.273.